

REMARKS

By this amendment, claims 1, 5 and 8 have been amended. Claim 9 has been previously cancelled. Accordingly, claims 1-8 are currently pending in the application, of which claims 1, 5 and 8 are independent claims. The Office Action indicates that claim 8 is allowed.

In view of the above amendments and the following Remarks, Applicants respectfully request reconsideration and timely withdrawal of the pending objections and rejections for the reasons discussed below.

Rejections Under 35 U.S.C. § 112, second paragraph

Claims 5 and 6 stands rejected under 35 U.S.C. § 112, second paragraph as being indefinite. The Examiner pointed out that there is no antecedent basis for the recitation “the projections” in line 10. Applicants respectfully traverse this rejection for at least the following reasons.

In this response, claim 5 has been amended to further recite “a domain-defining member provided over said insulating substrate *and comprising projections* ...”. Thus, withdrawal of the rejection is respectfully requested.

Rejections Under 35 U.S.C. § 102

Claims 1-4 and 7 stand rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by U. S. Patent No. 6,469,764 issued to Kim, *et al.* (“Kim”). Applicants respectfully traverse this rejection for at least the following reasons.

Independent claim 1 recites “an opaque shading film formed on the insulating substrate and *covering a texture around the domain defining member*”. An example of this claimed feature is shown in Fig. 2 of the present application, in which the gate pattern 21 is formed on the insulating substrate 10 and covering the texture formed in Area A. Also, Fig. 4 shows the gate pattern 21 formed to cover not only the portion overlying the projection but also the portions around the projection. In this regard, the Examiner stated that, in Kim, the counter electrode 24 corresponds to the claimed shading film (Office Action, page 30). This assertion is respectfully disagreed with.

In order for the counter electrode 24 to correspond to the claimed shading film, the counter electrode 24 must be formed of an opaque shading material, as claimed, which is capable of covering the texture. However, there is no description in Kim indicating that the counter electrode 24 is formed of any kind of shading material. Thus, there is no factual support for the Examiner’s position that the counter electrode 24 can cover the texture around the pixel electrode 25.

In Fig. 3 of Kim, the counter electrode 24 is formed within the pixel region indicated by the dotted line. Also, the counter electrode is formed of a material different from that of the gate line 21 or the data line 22. Given that the pixel electrode 25 is usually formed of a transparent conductive material (e.g., IZO or ITO) to improve an effective aperture ratio, it is very unlikely that the counter electrode 24 occupying the pixel region is formed of an opaque shading material.

For these reasons, it is submitted that claim 1 is patentable over Kim because Kim fails to disclose or suggest “an opaque shading film formed on the insulating substrate and *covering a texture around the domain defining member*”. Claims 2-4 and 7 that are dependent from claim 1

would be also patentable at least for the same reasons. Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 102(e) rejection of claims 1-4 and 7.

Other Matters

Claims 1 and 5 have been amended to delete certain limitations that appear to be confusing and unnecessary in determining the patentability issues thereof. This amendment is not made for the purpose of avoiding prior art or narrowing the claimed invention. Therefore, Applicants do not intend to relinquish any subject matter by these amendments.

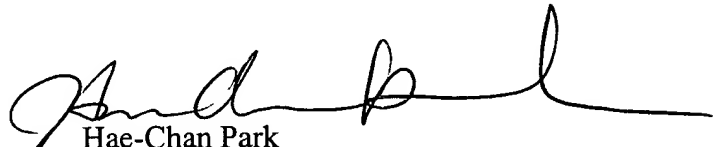
CONCLUSION

Applicants believe that a full and complete response has been made to the pending Office Action and respectfully submits that all of the stated objections and grounds for rejection have been overcome or rendered moot. Accordingly, Applicants respectfully submit that all pending claims are allowable and that the application is in condition for allowance.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact the Applicants' undersigned representative at the number below to expedite prosecution.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,



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